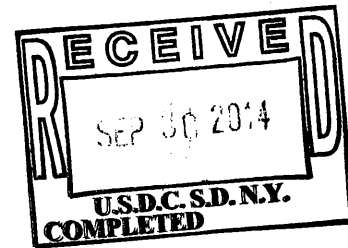


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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

WESTERN PA CHILD CARE, LLC, PA
CHILD CARE, LLC, MID-ATLANTIC
YOUTH SERVICES CORP., GLADSTONE
PARTNERS, LP, CONSULTING
INNOVATIONS AND SERVICES, INC., and
GREGORY R. ZAPPALA,

Plaintiffs,

v.

FORTRESS CREDIT CORPORATION,

Defendant.

(Western PA Child Care, LLC, PA Child Care, LLC, Mid-Atlantic Youth Services Corp., Gladstone Partners, LP, Consulting Innovations and Services, Inc., and Gregory R. Zappala v. Robert J. Powell, Debra Powell, Jill Moran and The Powell Law Group, P.C. Pending in the United States District Court for the Western District of Pennsylvania; CA 2:14-cv-968-JFC)

Misc. Case No. 14-MC-330

[CA 2:14-cv-968-JFC Pending in U.S.D.C.
for the Western District of Pennsylvania]

**PLAINTIFFS' NOTICE OF MOTION
TO COMPEL PRODUCTION OF
DOCUMENTS FROM NON-PARTY
FORTRESS CREDIT CORPORATION**

PLEASE TAKE NOTICE that upon the Declaration of Robert A. Magnanini, together with supporting exhibits annexed thereto, and the accompanying Memorandum of Law in support of this motion, the undersigned, counsel for Plaintiffs Western PA Child Care, LLC, PA Child Care, LLC, Mid-Atlantic Youth Services Corp., Gladstone Partners, LP, Consulting Innovations and Services, Inc., and Gregory R. Zappala ("Plaintiffs"), will move this Court

before the Part 1 Judge at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007-1312 on October 21, 2014 at 10:00 am, for an order pursuant to Rule 45(c) of the Federal Rules of Civil Procedure compelling the full compliance of Fortress Credit Corporation ("Fortress") in response to Plaintiffs' Subpoena to Produce Document, Information, or Objects or to Permit Inspection of Premises in A Civil Action ("Fortress Subpoena") dated August 26, 2014, issued and served upon Fortress in the action captioned *Western PA Child Care, LLC, PA Child Care, LLC, Mid-Atlantic Youth Services Corp., Gladstone Partners, LP, Consulting Innovations and Services, Inc., and Gregory R. Zappala v. Robert J. Powell, Debra Powell, Jill Moran and The Powell Law Group, P.C.*, CA 2:14-cv-968-JFC, pending in the United States District Court for the Western District of Pennsylvania; and granting such other and further relief as this Court considers appropriate;

PLEASE TAKE FURTHER NOTICE that any opposing and answering affidavits and answering memoranda of law to this motion shall be served within seven days after service of the moving papers pursuant to Local Rule 6.1(a).

Dated: September 30, 2014

Respectfully submitted,

STONE & MAGNANINI LLP

By: _____

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